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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 LOBSANG DARGEY,

12 Defendant/Judgment Debtor,

13 v.

14 SPRINT C/O FIDELITY WORKPLACE  
15 SVCS, LLC,

16 Garnishee.

Case No. C18-1347RSL

ORDER OVERRULING OBJECTIONS

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18 This matter comes before the Court on defendant/judgment debtor's objections to the  
19 United States' request for a continuing garnishee order. Dkt. # 9. Mr. Dargey asserts that the  
20 government failed to provide notice of the garnishment to his wife, that she has a 50% interest in  
21 the funds held by the garnishee, that federal taxes at a rate of 27% must be paid to the Internal  
22 Revenue Service on defendant/judgment debtor's behalf, and that no disbursement can occur  
23 until defendant/judgment debtor reaches the age at which he is eligible to withdraw funds.

24 Mr. Dargey's objections are untimely. Under Washington law, any objection or claim of  
25 exemption should have been raised in November 2017. On the merits, Mr. Dargey provides no  
26 evidence to contradict the United States' certification that it mailed a copy of the garnishment  
papers to Mrs. Dargey in October 2017 (Dkt. # 5 at 2), to show that he is entitled to represent

ORDER OVERRULING OBJECTIONS

1 Mrs. Dargey in this matter, or to establish what, if any, portion of the 401(k) account might be  
2 subject to Mrs. Dargey's claim. With regards to the eligibility and tax issues raised by Mr.  
3 Dargey, the United States' proposed writ specifies that only those funds in which  
4 defendant/judgment debtor meets the requirements for withdrawal will be disbursed and that  
5 federal taxes payable to the Internal Revenue Service will be withheld from any disbursement.  
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7 Having reviewed the submissions of the parties and the remainder of the record, the Court  
8 finds that Mr. Dargey has not asserted a viable objection or exemption to garnishment. All of the  
9 requisite notices were provided, no objections were raised in a timely manner, and the belated  
10 objections either lack merit or are appropriately addressed in the continuing writ. For all of the  
11 foregoing reasons, Mr. Dargey's objections are overruled, and the Court will issue the proposed  
12 writ submitted by the United States at Dkt. # 7-1.  
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14 Dated this 18th day of September, 2018.

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16 Robert S. Lasnik  
17 United States District Judge  
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